

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF SOUTH CAROLINA  
FLORENCE DIVISION

United States of America

v.

Joseph Maurice Timmons

Crim. No. 4:07-cr-00791-TLW

**ORDER**

This matter is before the Court on Defendant Joseph Maurice Timmons' motion for early termination of his term of supervised release. ECF No. 251. For the reasons that follow, the Court denies Timmons' motion.

On February 29, 2008, Timmons was sentenced to 144 months imprisonment followed by 10 years of supervised release for the offense of conspiracy to distribute 50 grams or more of cocaine base. ECF No. 87. On July 7, 2010, pursuant to a Rule 35(b) motion, Timmons' sentence was reduced to 110 months to be followed by a term of supervised release of 10 years. ECF No. 192. Timmons' supervision commenced on June 30, 2014 and is scheduled to expire on June 30, 2024.

Timmons has presently moved for the early termination of his remaining term of supervised release. ECF No. 251. A district court may terminate a defendant's term of supervised release if, in the case of a felony, the defendant has completed at least one year of probation and, after considering the § 3553(a) factors, the Court "is satisfied that such action is warranted by the conduct of the defendant released and the interest of justice." 18 U.S.C. § 3564(c). In support of his request, Timmons notes he is "striving to uplift my community." ECF No. 251.

The Court finds it appropriate to deny Timmons' request for three reasons. First,

the Court notes the seriousness of his instant federal conviction—conspiring to distribute cocaine base. Second, in addition to the seriousness of the offense of conviction, a review of Timmons’ criminal history reveals that he has prior convictions for (1) resisting arrest, (2) disobedience to a police officer, (2) distribution of powder cocaine, (4) possession of cocaine base, and (5) multiple convictions for driving under suspension. ECF No. 79 ¶¶ 17–29. Finally, Timmons has a history of failing to abide by the conditions of his supervision. In 2020, Timmons was placed on home confinement for 30 days after submitting a positive drug test for cocaine. ECF No. 256. Moreover, after he submitted his request for early termination, Timmons again tested positive for cocaine and was placed on home confinement for 60 days. *Id.* Thus, after reviewing Timmons’ motion and the record before it, the Court concludes that the seriousness of the instant offense, Timmons’ criminal history, and his failure to abide by the terms of his supervision weigh against terminating his term of supervised release.

At present, Timmons has approximately five months of supervised release remaining, as his term of supervised release does not expire until June 2024. For the reasons stated, and after considering the § 3553(a) factors, the Court concludes that early termination of his term of supervised release is not warranted. His motion, ECF No. 251, is therefore **DENIED**.

**IT IS SO ORDERED.**

*s/ Terry L. Wooten*  
Terry L. Wooten  
Senior United States District Judge

January 11, 2024  
Columbia, South Carolina